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PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. MSC-22859-3-CU

First Inventor Thomas J. Goodwin

Title Production of Functional Proteins:
Balance of Shear Stress and Gravity

Express Mail Label No. EU657647924US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-145017510 U.S. PTO
10/734759

121103

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 35]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 17]
5. Oath or Declaration [Total Sheets 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Letter containing cert. of mailing.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No. 09/532,001.....Prior application information: Examiner Karen Lacourciere Art Unit: 1635
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number: 24957 OR Correspondence address below

| | | | |
|----------|--|-----------|--------------|
| Name | James M. Cate | | |
| Address | NASA Johnson Space Center 2101 NASA Road One Mailcode: HA | | |
| City | Houston | State | TX |
| Country | USA | Telephone | 281-483-1001 |
| Zip Code | 77058 | | |
| Fax | 281-244-8452 | | |

| | | | |
|-------------------|---------------|-----------------------------------|--------|
| Name (Print/Type) | James M. Cate | Registration No. (Attorney/Agent) | 25,181 |
| Signature | James M. Cate | | |
| Date | 12/11/2003 | | |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

| | |
|--------------------------------|--------------------|
| TOTAL AMOUNT OF PAYMENT | (\$) 770.00 |
|--------------------------------|--------------------|

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | |
| Filing Date | 12/11/2003 |
| First Named Inventor | Thomas J. Goodwin |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | MSC-22859-3-CU |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number
14-0116
Deposit Account Name
National Aeronautics and Space Administration

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**or number previously paid, if greater; For Reissues, see above

(Complete if applicable)

| | | | | |
|-------------------|---------------|-----------------------------------|--------|------------------------|
| Name (Print/Type) | James M. Cate | Registration No. (Attorney/Agent) | 25,181 | Telephone 281-483-1001 |
| Signature | James M. Cate | | Date | 12-11-2003 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

NASA CASE NO. MSC-22859-3-CU

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------|--|-------------|
| In re Application of: | Sean O'Keefe |) Group Art |
| | |) Unit: |
| First Named Inventor: | Thomas J. Goodwin |) |
| | |) |
| Serial No.: | |) |
| | |) |
| Filed : | December 11, 2003 |) |
| | |) |
| For: | Production of Functional Proteins: Balance of Shear Stress and Gravity |) |
| | |) |
| | |) |

Letter

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The enclosed application is being filed in accordance with Rules 1.10 and 1.53(b) in order to obtain a filing date of December 11, 2003. The application is being sent by Express Mail "Post Office to Addressee" under Certificate EU657647924US.

Respectfully submitted,

James M. Cate
James M. Cate, Reg. No. 25,181
Attorney for Applicant

Houston, Texas 77058
Telephone: 281-483-1001 or 281-483-4871
Datafax: 281-244-8452

I hereby certify that the attached application "Production of Functional Proteins: Balance of Shear Stress and Gravity," is being deposited with the United States Postal Service on December 11, 2003, as Express Mail "Post Office to Addressee" under Certificate No. EU657647924US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

James M. Cate
James M. Cate



National
Aeronautics and
Space
Administration

Patent Application

**Request for Filing a Continuation, Divisional or
Continuation-in-Part Application Under 37 CFR 1.53(b)**

NASA Case No. MSC-22859-3-CU

Class _____ Subclass _____

Prior Application:

Examiner Karen Lacourciere Art Unit 1635

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Sir:

This is a request for filing a continuation, continuation-in-part, or divisional application under 37 CFR 1.53(b) of prior application:

Serial No.: 09/532,001 Confirmation No.: 7201 Filed: 03/21/2000Entitled: Production Of Functional Proteins: Balance Of Shear Stress And Gravity

by the following named inventor(s):

| FULL NAME OF INVENTOR | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
|-------------------------|------------------------|--------------------------|----------------------------|
| | Goodwin | Thomas | J. |
| RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | Friendswood | Texas | USA |
| MAILING ADDRESS | STREET NUMBER AND NAME | CITY | STATE AND ZIP CODE/COUNTRY |
| | P.O. Box 58094 | Friendswood | Texas 77258 |
| FULL NAME OF INVENTOR | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| | Hammond | Timothy | G. |
| RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | New orleans | Louisiana | USA |
| MAILING ADDRESS | STREET NUMBER AND NAME | CITY | STATE AND ZIP CODE/COUNTRY |
| | 1418 Bordeaux st. | New Orleans | Louisiana 70115 |
| FULL NAME OF INVENTOR | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| | Kaysen | James | H. |
| RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | New Orleans | Louisiana | USA |
| MAILING ADDRESS | STREET NUMBER AND NAME | CITY | STATE AND ZIP CODE/COUNTRY |
| | 93 Versailles Blvd. | New Orleans | Louisiana 70125 |

- 1. Enclosed is a copy of the prior application, including the specifications, claims, drawings and declaration as originally filed.
- 2. Cancel in this application original claims 1-35 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing)
- 3. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)

The filing fee is calculated on the basis of claims existing in the prior application as amended at 2, above.

| FOR (1) | CLAIMS NUMBER | | RATE (4) | CALCULATIONS (5) |
|---|------------------|--------------|-------------|---------------------|
| | PAID FOR (2) | EXTRA (3) | | |
| TOTAL CLAIMS 12 | 20 = | 0 x | \$18.00 = | \$0.00 |
| INDEPENDENT CLAIMS 1 | 3 = | 0 x | \$86.00 = | \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (If applicable) | ----- | ----- | ----- | ----- |
| BASIC FEE | ----- | ----- | ----- | \$770.00 |
| | | | TOTAL = | \$770.00 |

4. The Commissioner is hereby authorized to charge any fees which may be required to effect only the filing of this application under CFR 1.16 or credit any overpayment to Deposit Account No. 14-0116

5. A new declaration is included (required for continuation or divisional application adding new inventor, and in continuation-in-part applications).

6. Amend the specification by inserting before the first line the following sentence:
"This application is a division, continuation-in-part, or
 continuation of application Serial No. 09/532,001, filed 03/21/2000."

7. New drawings are enclosed.

8. Nonpublication request and certification is enclosed (PTO/SB/35 or equivalent).

9. The prior application is assigned of record to:
United States of America as represented by the Administrator, National Aeronautics & Space Administration

10. The Power of Attorney in the prior application is to:

a. Registered practitioners at Customer No.: 24957

b. Registered practitioners listed below (Name and registration number):

11. A Power of Attorney is enclosed.

12. Also enclosed: Extra copy of this form; Ltr containing the Exp. Mailing Cert. & PTO/SB/05, PTO/SB/17
Address all future communications to:
 a. Customer No.: 24957
 b. Correspondence Address listed below (Name, address and telephone number).
James M. Cate, Office of Patent Counsel, Code HA, NASA Road One, Houston, TX 77058-3696 Telephone: 281-483-1001, Fax 281-244-8452

December 11, 2003

James M. Cate

James M. Cate, Reg. No. 25,181

(Date)

(Signature - Attorney of Record) (Registration Number)